

Memorandum from Osdene to Seligman, dated November 29,
1977 (1005045000)

SUMMARY

This is the "digging our own grave" memorandum from Osdene to Seligman. Osdene states that he is "amazed" at the trend that CTR work is taking. He reports that at a recent CTR meeting a new staff member, Dr. Donald H. Ford, made a series of statements such as "opiates and nicotine may be similar in action." Toward the end of the memorandum, Osdene questions the whole relationship of PM to CTR and expresses his view that the direction of the work being taken by CTR is "totally detrimental to our position and undermines the public posture we have taken to outsiders."

Under the court's post-1966 ruling, this document should be excluded in its entirety, since it deals exclusively with CTR research post-1966 and would not be relevant to the suppression of third party claims.

CROSS POINTS

1. Osdene's criticisms of CTR prove our case. Harris must acknowledge that in this memorandum Osdene is not criticizing CTR for being a "puppet" of the industry, but rather for being an independent entity pursuing research even if that research is "totally detrimental" to the tobacco industry. This memorandum reflects Osdene's view that CTR is in fact performing independent research no matter its consequences.
2. It is obvious that the statements by Ford are stripped of their explanatory context and included in this memorandum to support Osdene's position that CTR is engaging in research which is contrary to the interests of the industry. Osdene, playing the role of an advocate, simply emphasized the negative connotations of these sentences in order to support his position.
3. That a member of the Philip Morris staff was opposed to an independent CTR should not be surprising. This memorandum represents merely one person's view -- a minority view -- about what CTR should be doing. There is nothing in this memorandum that indicates that Osdene's views were accepted by management. In a

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company as large as PM one must expect that individuals will have ideas about certain matters that will not be accepted by management. Rather than evidencing a conspiracy, this document reflects simply a dissenting view concerning the existing status of CTR as an independent entity.

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